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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,768	08/06/2001	Edward G. Callway	00100.00.0820	9391

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ADVANCED MICRO DEVICES, INC.
C/O VEDDER PRICE KAUFMAN & KAMMHOLZ, P.C.
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EXAMINER	
VAN HANDEL, MICHAEL P	
ART UNIT	**PAPER NUMBER**
2623	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	Application No. 09/923,768	Applicant(s) CALLWAY ET AL.	
	Examiner Michael Van Handel	Art Unit 2623	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 14 December 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
   a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ They raise the issue of new matter (see NOTE below);
   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: _____.
   Claim(s) objected to: _____.
   Claim(s) rejected: _____.
   Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Attached.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

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SUPERVISORY PATENT EXAMINER
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Continuation of 11.

Regarding claim 24, the applicant argues that the claim expressly requires in addition to sending a recompressed video stream wirelessly, also sending rendering commands wirelessly to be processed remotely and further notes that rendering commands, as known in the art, are used to generate graphics data by processing the rendering commands. The examiner fails to find a recitation of the "in addition to" language in the claim language, as currently claimed. The examiner notes that it is inherent for the digital television of Hannah to process the received MPEG-2 transmission for display. Thus, the MPEG-2 transmission is sent to a remote digital television in the home and graphics data is generated at the receiver by processing the MPEG-2 content. This meets the limitations of "sending the recompressed video stream wirelessly and sending graphics rendering commands wirelessly to be processed remotely," as currently claimed. Hannah also discloses decompressing images in order to add graphic overlays to the image, re-size the image, such as "picture within a picture" enhancements, or perform other modifications (col. 2, l. 49-56). These graphical overlays are also inherently processed at the remote digital television in the home as the television processes the MPEG-2 content. This also meets the limitations of "sending the recompressed video stream wirelessly and sending graphics rendering commands wirelessly to be processed remotely," as currently claimed. Hannah still further discloses generating motion vectors to compress enhanced images prior to encoding the images for transmission to a remote digital television (col. 3, l. 5-16). Since these motion vectors will be used in decompressing the images at the digital television, the examiner interpets the motion vectors to be graphics rendering commands. Thus, Hannah meets the limitations of "sending the recompressed video stream wirelessly and sending graphics rendering commands wirelessly to be processed remotely," as currently claimed.

Regarding claim 1, the applicant argues that Hannah fails to disclose a switch that is operative to cause an output image frame to pass from the blending circuit to the frame buffer during the wireless display select mode as there does not appear to be a wireless display select mode nor does there appear to be any switch coupled to a blending circuit and frame buffer as there does not appear to be any need for such a switch. Specifically, the applicant argues that there is no switch described or suggested at the output of the enhancement block 104 and that, as such, the enhanced image 114 will always pass to the local display and to the encoder 106. The examiner respectfully disagrees. Hannah discloses re-encoding the video frames prior to transmission when the display is remote from the receiver (col. 2, l. 30-33). Hannah further discloses that the enhancement block 104 may send the image 114 to the encoder 106, where it may thus be encoded for receipt by a remote display and that the enhanced image 114 may additionally be sent directly to a local display 136 if desired (col. 2, l. 66-67 & col. 3, l. 1-4). Hannah still further discloses not re-encoding a reproduced image stream 112 before being sent when the display 136 is local (col. 2, l. 46-68). The examiner acknowledges the applicant's argument based on figure 1, but respectfully disagrees. The applicant's argument based on the figure would imply that the reproduced images 112 would also be sent to both the local display 136 and the enhancement block 104; however this wouldn't make logical sense, because the reproduced images 112 and enhanced images 114 would be sent to the local display 136 simultaneously. The applicant further argues that column 2 supports the applicant's proposition by stating that the decoder extracts motion vectors and provides them to the encoder 106, thus encoding an enhanced image for receipt by a remote display. The examiner respectfully disagrees. Hannah states that the encoder 106 receives a plurality of motion vector hints 108 from the enhancement block 104 for remote transmission of the enhanced image, allowing the encoder to produce a compressed enhanced image to be transmitted to a remote display (col. 3, l. 5-16). Hannah doesn't disclose performing the same operation when a remote display is not present. Even if, for argument's sake, the motion vectors and motion vector hints were sent to the encoder regardless of whether the remote television were present, the examiner fails to find any indication that the enhanced image 114 be sent to the encoder as well, and as noted above, believes there is adequate support to indicate the opposite.

Further regarding claim 1, the applicant argues that Hannah does not disclose a switch that is operative to cause output image frames to pass from the blending circuit to the frame buffer during a wireless display mode. The examiner respectfully disagrees. As described above and in the previous Office Action, Hannah discloses a switch operative to cause output image frames to pass from a blending circuit to a frame buffer. Images are re-encoded prior to transmission when a remote wireless television is connected for receiving the images. Thus, the examiner interprets a situation in which a remote wireless television is connected to be a "wireless display select mode," as currently claimed.

Regarding claims 20 and 25, the applicant argues that the combination of Hannah and Kapell does not teach processing, by a second apparatus, wirelessly received graphics rendering commands to produce rendered graphics data nor decompressing and recompressing video stream and combining the rendered graphics image data with the decompressed video stream to produce frames of image data. Specifically, the applicant argues that the remote control of Kapell does not wirelessly send graphics rendering commands. The examiner respectfully disagrees. Hannah discloses a short range wireless transmitter for sending encoded graphics image data to a wireless monitor (col. 3, l. 1-4 & col. 5, l. 46-53) and a short range wireless receiver for receiving the graphics image data (the examiner notes that this is inherent to Hannah, since it is required for reception of the graphics and video). Hannah does not disclose wirelessly sending drawing commands to a short range wireless receiver. Kapell et al. discloses a wireless infrared (IR) remote control handset 16 with a cursor control button 28 that can be pressed in one of four directions to move a cursor on a video display device (col. 3, l. 54-55). The video entertainment system includes a viewer participation program 54 which has features for allowing viewers to mark broadcast television by allowing a user to draw or display graphics over a received television image on a video display device (col. 3, l. 56-67 & col. 4, l. 1-27). Since the commands issued from the remote control cause the set top box (STB) to display marks chosen by the viewer, the examiner finds that the remote control wirelessly sends drawing commands to a short range wireless receiver, as currently claimed. The examiner further finds it obvious to modify Hannah to include wirelessly communicating commands to a STB for displaying graphics entities or entertainment images over a received television image on a video display device, such as that taught by Kapell et al. in order to allow viewers to interact with TV programs without causing physical damage to television viewing hardware (col. 1, l. 36-40).